

UNITED STATES DISTRICT JUDGE  
DISTRICT OF MASSACHUSETTS

_____	)	
MIOSOTIS TRONCOSO,	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 05-11403-PBS
	)	
UNITED STATES OF AMERICA,	)	
Respondent.	)	
_____	)	

**ORDER**

January 4, 2006

Saris, U.S.D.J.

On April 12, 2005, I held that the Bureau of Prisons failed to comply with the notice-and-comment requirements for agency rulemaking under the Administrative Procedure Act, 5 U.S.C. § 553 and violated the *Ex Post Facto* Clause as well when it terminated the boot camp program. See Castellini v. Lappin, 365 F. Supp. 2d 197 (D. Mass. 2005).

After receiving a pro se request from Troncoso for a boot camp placement, the Court ordered the government to report on the status of petitioner. The government responded by stating that Ms. Troncoso was not eligible for a boot camp until July 10, 2005.

On June 21, 2005, petitioner filed a habeas corpus petition claiming she has not been placed in a boot camp which the government opposes partly on the ground the boot camp was

terminated. In Castellini, I was told the Bureau of Prisons placed petitioner in a boot camp even though the program had been terminated.

As the sentencing judge, I **ORDER** the Bureau of Prisons to consider petitioner's eligibility for the Shock Incarceration Program and report to the Court in thirty (30) days with respect to placement in boot camp.

**S/PATTI B. SARIS**  
UNITED STATES DISTRICT JUDGE